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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 JOHNNY CHEN,
16 Defendant.

Case No. 2:23-mj-00420-VCF

**SECOND STIPULATION TO
MODIFY CONDITIONS OF
PRETRIAL RELEASE**

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
18 United States Attorney, through Kimberly Frayn, Assistant United States Attorney, counsel for
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and Aden
20 Kebede, Assistant Federal Public Defender, counsel for Johnny Chen, that this Court amend
21 the conditions of Pretrial Release.

22 This Stipulation is entered into for the following reasons:

23 1. On May 31, 2023, the Defendant, Johnny Chen, appeared before Magistrate
24 Judge Nancy J. Koppe for an initial appearance and bail hearing. He was released on his
25 personal recognizance with pretrial supervision and several conditions.
26

2. One of those conditions required Mr. Chen to surrender his U.S. passport to U.S. Pretrial Services in Nevada and restrict his residence to California.

3. Mr. Chen current driver's license is a Pennsylvania license and is due to expire in January 2024. His California probation officer has advised that he needs update his current license to a California driver's license before the expiration date. In order to facilitate that, the California DMV office needs another form of identification. Mr. Chen does not have other forms of identification except his U.S. passport.

4. The parties have agreed to ask the Court to amend Mr. Chen's conditions to allow U.S. Pretrial Services in Nevada to release his U.S. passport to him via his probation officer in California. Mr. Chen will be ordered to pick up his passport from his pretrial officer in California after scheduling an appointment with the DMV and providing proof of the appointment to the pretrial officer.

5. After obtaining his new driver's license, Mr. Chen will be ordered to deliver his passport back to his California pretrial officer. Mr. Chen will have three days to return his passport to his California pretrial services officer from the time he picks it up from the pretrial services office.

6. U.S. Pretrial Services in Nevada does not oppose this request for modification.

7. The government and defense therefore jointly request to modify Mr. Chen's conditions to allow Pretrial Services to release his passport to him so he can update his driver's license.

DATED this 4th day of October 2023

RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

By /s/ Aden Kebede

By /s/ Kimberly Frayn

ADEN KEBEDE
Assistant Federal Public Defender

Kimberly Frayn
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY CHEN,

Defendant.

Case No. 2:23-mj-00420-VCF

ORDER

IT IS HEREBY ORDERED, that this Court amend Mr. Chen's pretrial release conditions to allow U.S. Pretrial Services in Nevada to release his U.S. passport to him via his probation officer in California. Mr. Chen is ordered to pick up his passport from his pretrial officer in California after scheduling an appointment with the DMV and providing proof of the appointment to the pretrial officer. After obtaining his new driver's license, Mr. Chen is ordered to deliver his passport back to the California pretrial officer. Mr. Chen will have three days to return his passport to his California pretrial services officer from the time he picks it up from the pretrial services office.

DATED this 4th day of October 2023.


UNITED STATES MAGISTRATE JUDGE